

Sent via e-mail, fax, hand delivery
and/or U.S. Mail

March 11, 2003

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: Investigation by the Department into Bay State Gas Company's 2002 Service Quality Report, filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84, Att. 1, IX (June 29, 2001), D.T.E. 03-10

Dear Ms. Cottrell:

On January 31, 2003, Bay State Gas Company (the "Company") filed with the Department of Telecommunications and Energy ("Department") its service quality report for the period January 1, 2002 through December 31, 2002, pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84, Att. 1, at IX (June 29, 2001).¹ Then, on February 6, 2003, the Department ordered the Company to refile its plan to conform with the Department's *Memorandum Regarding Format For Service Quality Reports*. The Company made its revised filing on February 13, 2003. The Department docketed this matter as D.T.E. 03-10 for investigation, and on February 25, 2003, it requested comments from interested parties regarding those results for 2002. The Attorney General hereby provides his comments regarding the results.

Bay State's report does not provide sufficient data to determine the Company's actual Service Quality Performance during 2002. The Company's Service Quality Plan filing provides a summary Service Quality report that includes a description of its performance during the past

¹ By letter dated December 30, 2002, the Department required Bay State to expedite its annual service quality report and to submit it to the Department no later than January 31, 2003.

calender year as well as a comparison to the history in the eight service quality penalty measures as well as additional service quality reporting measures. The report, however, does not provide the raw data and reports from which the summary statistics were determined. Furthermore, the report does not provide a complete and detailed description of the methodology that the Company used to change the raw data into the summary statistics that appear in the report. For instance, a glaring omission in the report is a discussion of the corrections, changes, additions, and exclusions of any data from the statistics reported in the service quality indicators. Without this information, the Department does not have sufficient information on which to base its analysis and findings. Therefore, the Department should open evidentiary hearings in this docket to all discovery, hearings with sworn testimony, cross examination and briefs to provide the Department with sufficient evidence to base its analysis and findings.

The Attorney General appreciates this opportunity to comment on Bay State Gas Company's 2002 Service Quality Plan results.

Sincerely,

Wilner Borgella, Jr.
Assistant Attorney General
Utilities Division
Public Protection Bureau
200 Portland Street
Boston, MA 02114
(617) 727-2200

WB/wb

Enc.

cc: Jody Stiefel, Hearing Officer (w/enc.)
Service List (w/enc.)